

## REMARKS

### Status of the Claims

The Office Action dated June 28, 2005 has been received and its contents carefully considered. In the Office Action, claims 1-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Tsujimoto et al.* (US 6,420,807 B1).

By this reply, claims 1-11 have been amended and claims 13-18 have been added. Accordingly, claims 1-18 are pending in this application.

Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the following remarks.

### Specification

The Examiner stated that the title of the invention was not descriptive. The title has been amended as follows: COLOR IMAGE FORMING APPARATUS AND A METHOD FOR OPERATING. The new title is indicative of the invention to which the claims are directed. It is believed that the title is in compliance.

### Claim Rejections Under 35 U.S.C. § 102

Claims 1-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Tsujimoto et al.* (US 6,420,807 B1). Without conceding the propriety of the rejection, independent claims 1, 6, and 11 have been amended. It is respectfully submitted that *Tsujimoto et al.* does not teach, *inter alia*, an image-forming apparatus comprising a control unit wherein "said control unit makes said plurality of transfer units to be selectively operated according to the kind of image and said control unit changes a control method for said driving unit according to the kind of image" as recited in claims 1

and 6. Furthermore, it is respectfully submitted that *Tsujimoto et al.* does not teach, *inter alia*, a control method comprising “selectively actuating a transfer unit according to the kind of image” as recited in claim 11.

With reference to the descriptions in col. 8, lines 47-50, col. 8, line 56 - col. 9, line 36, and Fig. 2 of *Tsujimoto et al.*, it is understood that a rotational speed detector (28c) detects a rotational speed of a photosensitive drum (31c) to output a detection system. The CPU (51) judges whether a frequency of the detection signal falls within an appropriate range or not and a speed of the photosensitive drum (31c) is controlled according to a result of the judgment.

However, *Tsujimoto et al.*, fails to teach the structure and control method for selectively activating transfer units depending upon the kind of images as recited in claims 1, 6, and 11. *Tsujimoto et al.* lacks a teaching of the structure and control method for changing control of photosensitive bodies depending upon the kind of images being processed. For example, *Tsujimoto et al.* makes no mention of activation or contact/release of the transfer charger 17c to 17k. Hence, *Tsujimoto et al.* cannot deal with problems such as load fluctuations of photosensitive bodies which may arise depending upon the kind of images being utilized as addressed, *inter alia*, by Applicant's invention. Thus, *Tsujimoto et al.* fails to teach the structure and control method for changing control of photosensitive bodies depending upon the kind of images being utilized as claimed by Applicant.

For anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present (M.P.E.P. 706.02). Since each and every element, as set forth in

the claims, are not found either expressly or inherently described as required by the M.P.E.P., *Tsujimoto et al.* cannot be said to anticipate the invention as claimed. Hence, withdrawal of the rejection is respectfully requested.

Claims 2-5 and 13-18 ultimately depend from independent claim 1 and are patentable over the cited prior art for at least the same reasons as is claim 1.

Claims 7-10 ultimately depend from independent claim 6 and are patentable over the cited prior art for at least the same reasons as is claim 6.

Claim 12 depends from independent claim 11 and is patentable over the cited prior art for at least the same reasons as is claim 11.

**Conclusion**

In view of the foregoing amendments and remarks, reconsideration and allowance of the application are believed in order and such action is earnestly solicited.

If the Examiner believes that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned attorney at 571-203-2735.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

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